

~~PROCESSED~~ ORDER/COVER SHEETTO: Honorable Wayne D. Brazil
U.S. Magistrate Judge**FILED**

RE: Kelvin Arnold

DEC 6 - 2007

FROM: Claudette M. Silvera, Chief
U.S. Pretrial Services OfficerRICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DOCKET NO.: CR 07-00488 CW

DATE: December 4, 2007

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Paul Mamaril
U.S. PRETRIAL SERVICES OFFICER510-637-3757
TELEPHONE NUMBER

RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.



I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.



Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. _____

_____ on _____ at _____.

Inform all parties concerned that a Bail Review Hearing will be conducted by:
Magistrate Judge _____ Presiding District Court Judge _____

I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:



Modification(s)

A.

B.



Bail Revoked/Bench Warrant Issued.



I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).



Other Instructions:

Wayne D. Brazil
JUDICIAL OFFICER12-6-07
DATE

Cover Sheet (12/03/02)

cc: WNB's Stats, Copy to parties via ECF
Pretrial, Financial, Shenah

To: Honorable Wayne D. Brazil
U.S. Magistrate Judge

From: Paul Mamaril
U.S. Pretrial Services Officer

Subject: Kelvin Arnold
Docket No.: CR 07-00488 CW

Date: December 4, 2007



MEMORANDUM

Your Honor,

Mr. Arnold initially appeared before Your Honor on October 29, 2007, charged in an Indictment with a violation of Title 18, United States Code, Section 1028(f) - Conspiracy to Unlawfully Transfer or Use a Means of Identification of Another. On this same date, he was released on a \$100,000 unsecured bond, with the following special conditions:

1. The defendant shall report to Pretrial Services as directed;
2. The defendant shall maintain current employment or if unemployed shall seek and maintain verifiable employment;
3. The defendant shall surrender his passport and not apply for any new passports or travel documents;
4. The defendant's travel is restricted to the Northern District of California;
5. The defendant shall not possess any firearms, destructive devices, or other dangerous weapons;
6. The defendant shall not have any contact with any co-defendants outside of the presence of counsel;
7. The defendant shall not change residence without prior approval from Pretrial Services;
8. The defendant shall refrain from excessive use of alcohol and from any use or unlawful possession of a narcotic drug and other controlled substances without a legal prescription; and
9. The defendant shall comply with a curfew to be set by Pretrial Services.

On October 30, 2007, Mr. Arnold reported to Pretrial Services and his conditions of release were reviewed. On that date, the defendant was also placed on automated curfew which was set from 10:00pm to 6:00am. On November 6, 2007, Mr. Arnold reported to Pretrial Services, and a post bail interview was conducted in the presence of his attorney.

On November 16, 2007, this officer sent a notification to Assistant United States Attorney Keshie Stewart and the defendant's attorney, Ismail Ramsey, regarding the following missed curfew calls:

MEMORANDUM FOR THE HONORABLE WAYNE D. BRAZIL
 UNITED STATES MAGISTRATE JUDGE
 RE: ARNOLD, KELVIN

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<u>Date:</u>	<u>Time:</u>	<u>Reason:</u>
October 31, 2007	12:50 am	No response
October 31, 2007	11:44 pm	No response
November 1, 2007	11:02 pm	Hung up
November 3, 2007	12:34 am	No response
November 5, 2007	10:30 pm	Hung up
November 6, 2007	12:11 am	No response
November 7, 2007	10:03 pm	No response
November 10, 2007	4:58 am	No response

This officer conducted a home visit at Mr. Kelvin Arnold's residence in Livermore, California, on November 9, 2007. This officer addressed the above alerts with the defendant and advised him to contact this officer immediately regarding any missed curfew calls in the future. This officer also spoke with the defendant's aunt (Charlene McKenney) who confirmed that the defendant has always been home during his curfew hours (10pm-6am). Since November 9th, Mr. Arnold has acclimated himself to the curfew system and no violation alerts have been reported.

These issues have been address with the defendant. At this time, Pretrial Services requests that no action be taken as a result of the noted violations. Any future violations will be reported to the Court immediately. This memorandum is submitted for Your Honor's information and consideration. If you have any questions regarding the above information, please contact this officer at 510-637-3757.

Respectfully submitted,



Paul Mamaril
 U.S. Pretrial Services Officer

Reviewed by,



Silvio Lugo, Assistant Deputy Chief
 U.S. Pretrial Services Officer

cc: Assistant United States Attorney Kestlie Stewart
 Defense counsel Ismail Ramsey